



Commission's Amended Order Enables Adult-Use Operators to Support Supply Chain for Medical Use of Marijuana Program

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General adult-use operations remain closed until May 4; all licensees will be required to report confirmed COVID-19 cases to the agency

WORCESTER—The Cannabis Control Commission (Commission) issued an amended cease and desist order Tuesday pursuant to the Baker Administration's extended stay-at-home advisory and emergency order that

will enable certain Marijuana Establishments (ME) and Colocated Marijuana Operations (CMO) to support the medical marijuana supply chain.

The amended order became effective at 12 p.m. on Tuesday, April 7 and lasts until at least 12 p.m. on Monday, May 4 unless otherwise extended, amended, or rescinded. The update acknowledges the ongoing non-essential status of adult-use cannabis operations and essential status of medical-use operations under the Baker Administration's order. Additionally, it cites the 158% increase in patient applications and more than 30 telehealth certification waivers the Medical Use of Marijuana Program has received since the Governor's essential services order was first issued on March 23.

Anticipating increases in patient demand during the Commonwealth's state of emergency and recognizing the percentage of adult-use inventory that traditionally supports both the adult- and medical-use markets, the new order will enable adult-use operators to complete wholesale transfers of existing adult-use marijuana and marijuana products to a CMO and/or Medical Marijuana Treatment Center (MTC) when needed to support continued manufacturing functions within the medical marijuana supply chain. The transfer of marijuana and marijuana products between MEs and MTCs is a common business practice within the industry. When a documented emergency occurs, transfers are permitted under the Commission's current regulations as long as licensees protect patient supply and record them in the state's seed-to-sale tracking system.

Prior to a transfer, the recipient CMO or MTC is required to submit an attestation to the Commission regarding the medical supply need that will be met by the adult-use product. Upon receiving the inventory, the CMO or MTC must immediately transfer the product to their medical license and ensure it will be reserved for medical use until it is dispensed or destroyed. All products must comply with the Commission's labeling and packaging requirements under the medical use of marijuana regulations before they can be sold.

The Commission also will permit MEs and CMOs that operate adult-use cultivation facilities, including Cultivators, Microbusinesses, and Craft Marijuana Cooperatives, to designate necessary staff to maintain operations in accordance with the Baker Administration's order. Essential cultivation operations include feeding and irrigating existing plantings, undertaking pre-existing integrated pest management and preventative maintenance programs, and harvesting, drying, curing, and storing existing plants. Adult-use operators will be authorized to make new cultivation plantings, transfer unfinished harvested marijuana, and process harvested marijuana into newly finished products upon demonstrating that those operations are necessary to support the medical marijuana supply chain. Independent Testing Laboratories may test adult-use products that licensees attest will be transferred to medical supply.

Following a series of bulletins the Commission has issued since March 13 to assist licensees with ensuring, preserving, and promoting public health within their facilities during the COVID-19 state of emergency, the new order takes the Commission's commitment to safety another step further. In addition to adhering to Administration and US Centers for Disease Control and Prevention (CDC) protocols regarding safety and COVID-19 reporting, licensees will now be required to notify the Commission of an employee work-related illness resulting in a confirmed COVID-19 case within twenty-four hours of having actual knowledge.

Licensees must continue to monitor and comply with all Commission bulletins as well as guidelines issued by the Governor, the Commission, the Department of Public Health, local authorities, and the CDC, including those establishing social distancing, environmental cleaning, and disinfection measures. Agents who believe they are working in unsafe conditions or must continue working when non-essential may file a complaint with the Commission at Commission@CCCMass.Com with subject line "COVID-19 Agent Complaint." Complaints may be submitted anonymously. Licensees and agents must follow all applicable employment laws, including laws

against unlawful retaliation. The Commission continues to look into complaints and maintains enforcement mechanisms to support compliance.

For more information, visit the Commission's [COVID-19 Updates](#) page at [MassCannabisControl.Com](#), contact the Commission by phone (774-415-0200) or email (Commission@CCCMass.Com), or follow the agency on [Facebook](#) and [Twitter](#).

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